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AMENDED IN SENATE MARCH 27, 2006

SENATE BILL

No. 1556

Introduced by Senator Torlakson

(Principal coauthor: Assembly Member Wolk)

(Coauthors: Senators Chesbro, Machado, and Ortiz)

~~(Coauthor: Assembly Member Jones)~~ *Coauthors: Assembly Members
Aghazarian and Jones)*

February 23, 2006

An act to add Chapter 12 (commencing with Section 5852) to Division 5 of the Public Resources Code, and to amend Section 99234 of the Public Utilities Code, relating to parks and recreation.

LEGISLATIVE COUNSEL'S DIGEST

SB 1556, as amended, Torlakson. Parks: The Great California Delta Trail System.

Existing law establishes the Delta Protection Commission to preserve, protect, maintain, and enhance the Sacramento-San Joaquin Delta region's environmental resources and quality, including preserving and protecting agriculture, wildlife habitats, open spaces, outdoor recreational activities, public access, and use of public lands.

This bill would additionally require the Delta Protection Commission to establish a continuous recreation corridor, including bicycle and hiking trails, around the delta, as defined. The bill would

also require the plan to link the San Francisco Bay Trail system to planned Sacramento River trails in Yolo and Sacramento Counties.

Existing law requires local transportation planning agencies to allocate funds in the local transportation fund, as defined, for establishing and maintaining pedestrian and bicycle trails. Existing law authorizes the Metropolitan Transportation Commission to allocate those funds to establish a recreation corridor, including a bicycle and hiking trail, around the perimeter of the San Francisco and San Pablo Bays.

This bill would authorize the transportation planning agencies that allocate those funds to the cities and counties with jurisdiction or a sphere of influence within the delta, to allocate those funds to the Delta Protection Commission for specified activities around the delta.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature hereby finds all of the
2 following:

3 (1) The Great California Delta region is a wondrous state and
4 national treasure, with its natural resources and fertile soils for
5 agriculture, its access to recreation and science research, and its
6 rich history and beauty.

7 (2) The California Delta provides two-thirds of the state's
8 drinking and irrigation water, that flows through the delta's over
9 1,000 miles of waterways, levees, and ~~shoreline~~ shorelines.

10 (3) The California Delta is of great ecological significance,
11 with its two most prominent waterways, the Sacramento and the
12 San Joaquin Rivers, carrying fresh water from the Sierra Nevada
13 Range and the Central Valley to the San Francisco Bay.

14 (4) The California Delta is a key part of the Pacific Flyway,
15 and its rich ecosystem serves as home to thousands of unique
16 birds, fish, animals, and plants, and is enjoyed by outdoor
17 enthusiasts, water-sport fans, hunters, fishermen, and naturalists.

18 (5) The California Delta is a complicated and fragile system
19 that needs the appreciation and protection of future generations
20 of Californians.

21 (6) The California Delta is characterized by its numerous
22 scenic waterways, levee-top roadways, historic towns, idyllic

1 marinas, ~~and eucalyptus tree windrows~~ *eucalyptus tree windrows*,
2 *and highly productive family farms*.

3 (7) There are 22 public recreation areas in the Sacramento-San
4 Joaquin Delta region, with fishing, park day use facilities,
5 campgrounds, trails and boating access that support numerous
6 recreational activities including boating, water skiing, jet skiing,
7 windsurfing, sailing, fishing, relaxing, hiking and jogging,
8 horseback riding, swimming, picnicking, and cycling.

9 (8) California is challenged by a growing obesity crisis and
10 state and local leaders must address the need for more
11 opportunities for exercise, movement, and recreation in public
12 settings.

13 (9) The Delta Protection Commission surveys have found that
14 there are unmet recreational needs in the delta region, including a
15 trail for bicycling and hiking, ~~around the perimeter of the~~
16 ~~Sacramento-San Joaquin Delta~~ *in the Sacramento-San Joaquin*
17 *Delta region*.

18 (10) A bicycle and pedestrian trail ~~along the perimeter~~ would
19 provide an important link between the people of California and
20 one of our most precious natural resources.

21 (11) A bicycle and pedestrian trail connecting the delta region,
22 with adjacent areas, would provide a great link between our
23 fascinating delta communities and foster a connection between
24 our rich histories and present challenges.

25 (b) The Legislature declares its support for the creation of a
26 Great California Delta Trail, linking the San Francisco Bay Trail
27 system and the planned Sacramento River trails in Yolo and
28 Sacramento Counties to the present and future trailways around
29 the delta, including, but not limited to, the delta's shorelines in
30 Contra Costa, San Joaquin, Solano, Sacramento, and Yolo
31 Counties.

32 SEC. 2. Chapter 12 (commencing with Section 5852) is
33 added to Division 5 of the Public Resources Code, to read:

34
35 CHAPTER 12. THE GREAT CALIFORNIA DELTA TRAIL SYSTEM
36

37 5852. "Delta" means the Sacramento-San Joaquin Delta, as
38 defined in Section 12220 of the Water Code minus the area
39 contained in Alameda County.

1 5853. "Commission" means Delta Protection Commission as
2 defined in Section 29721.

3 5854. (a) In accordance with the requirements of subdivision
4 (c), the commission shall develop and adopt a plan and
5 implementation program, including a finance and maintenance
6 plan, for a continuous regional recreational corridor that will
7 extend around the delta, including, but not limited to, the delta's
8 shorelines in Contra Costa, Solano, San Joaquin, Sacramento,
9 and Yolo Counties. This plan shall link the San Francisco Bay
10 Trail system to the planned Sacramento River trails in Yolo and
11 Sacramento Counties. This plan shall include a specific route of
12 a bicycling and hiking trail, the relationship of the route to
13 existing and proposed park and recreational facilities and land
14 and water trail systems, and links to existing and proposed public
15 transportation and transit. The transportation and transit links
16 may include, but are not limited to, roadside bus stops, transit
17 facilities, and transportation facilities. The continuous regional
18 recreational corridor planned and executed pursuant to this
19 chapter shall be called the Great California Delta Trail. The
20 continuous regional recreational corridor shall include, but not be
21 limited to, bikeway systems, and hiking and bicycling trails.

22 (b) The Great California Delta Trail plan shall do all of the
23 following:

24 (1) Provide that designated environmentally sensitive areas,
25 including wildlife habitats and wetlands, shall not be adversely
26 affected by the trail.

27 (2) Provide for appropriate buffer zones along those portions
28 of the bikeway system adjacent to designated environmentally
29 sensitive areas and areas with private uses, when appropriate.

30 (3) Provide that the land and funds used for any purposes
31 under this chapter are not considered mitigation for wetlands
32 losses.

33 (4) Provide alternative routes to avoid impingement on
34 environmentally sensitive areas, traditional hunting and fishing
35 areas, and areas with private uses, when appropriate.

36 (5) Provide that no motorized vehicles, except to the extent
37 necessary for emergency services, including, but not limited to,
38 medical and structural emergencies, and for handicap access, be
39 allowed on the trail.

1 (c) The commission may develop and adopt the plan and the
2 implementation program if it receives sufficient funds, from
3 sources other than the General Fund, to finance the full costs of
4 developing and adopting the plan. The commission shall submit
5 the plan and the implementation program to the Legislature and
6 each of the counties within the commission's service area not
7 later than two years after the commission determines that
8 sufficient funds will be available to complete the plan and
9 implementation program.

10 (d) The commission shall administer the funds used in the
11 planning of the trail.

12 5855. (a) The commission shall establish a technical
13 advisory committee that shall review the trail's planning,
14 implementation, and funding proposals. The committee shall
15 include members and staff of appropriate regional government
16 associations, local jurisdictions, and districts. Participation in the
17 committee is voluntary and its members are not eligible for
18 reimbursement from the state for costs incurred to participate.
19 The committee may make recommendations, to the commission,
20 on the trail's planning, implementation, and funding. The
21 executive director of the commission shall convene the meetings
22 of the committee.

23 (b) A cooperative working relationship shall be established
24 with state and federal agencies, and all other cities, counties,
25 districts, including school districts, and regional government
26 associations that are affected by the proposed trail.

27 (c) The commission shall establish a stakeholder advisory
28 committee representing groups concerned with environmental
29 and ecological protection of the delta, groups representing
30 agricultural, private, and other business uses of the delta's land
31 and water, and groups representing bicycling, walking, boating,
32 horseback riding, and other relevant recreational activities. The
33 stakeholder advisory committee shall advise the commission on
34 the trail's impacts on and uses for committee member
35 constituencies. Participation in the committee is voluntary and its
36 members are not eligible for reimbursement from the state for
37 costs incurred to participate. The committee may make
38 recommendations, to the commission, on the trail's planning,
39 implementation, and funding. The executive director of the

1 commission shall convene the meetings of the stakeholder
2 advisory committee.

3 (d) The meetings of the committees established in subdivisions
4 (a) and (c) shall be subject to the provisions of the Bagley-Keene
5 Open Meeting Act (Article 9 (commencing with Section 11120)
6 of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
7 Code).

8 SEC. 3. Section 99234 of the Public Utilities Code is
9 amended to read:

10 99234. (a) Claims for facilities provided for the exclusive use
11 of pedestrians and bicycles or for bicycle safety education
12 programs shall be filed according to the rules and regulations
13 adopted by the transportation planning agency.

14 (b) The money shall be allocated for the construction,
15 including related engineering expenses, of those facilities
16 pursuant to procedures or criteria established by the
17 transportation planning agency for the area within its jurisdiction,
18 or for bicycle safety education programs.

19 (c) The money may be allocated for the maintenance of
20 bicycling trails that are closed to motorized traffic pursuant to
21 procedures or criteria established by the transportation planning
22 agency for the area within its jurisdiction.

23 (d) The money may be allocated without respect to Section
24 99231 and shall not be included in determining the
25 apportionments to a city or county for purposes of Sections
26 99233.7 to 99233.9, inclusive.

27 (e) Facilities provided for the use of bicycles may include
28 projects that serve the needs of commuting bicyclists, including,
29 but not limited to, new trails serving major transportation
30 corridors, secure bicycle parking at employment centers, park
31 and ride lots, and transit terminals where other funds are
32 unavailable.

33 (f) Notwithstanding any other provision of this section, a
34 planning agency established in Title 7.1 (commencing with
35 Section 66500) of the Government Code may allocate the money
36 to the Association of Bay Area Governments for activities
37 required by Chapter 11 (commencing with Section 5850) of
38 Division 5 of the Public Resources Code.

39 (g) Notwithstanding any other provision of this section, the
40 transportation planning agencies that allocate funds, pursuant to

1 this section, to the cities and counties with jurisdiction or a
2 sphere of influence within the delta, as defined in Section 5852
3 of the Public Resources Code, may allocate the money to the
4 Delta Protection Commission for activities required by Chapter
5 12 (commencing with Section 5852) of Division 5 of the Public
6 Resources Code.

7 (h) Within 30 days after receiving a request for a review from
8 any city or county, the transportation planning agency shall
9 review its allocations made pursuant to Section 99233.3.

10 (i) In addition to the purposes authorized in this section, a
11 portion of the amount available to a city or county pursuant to
12 Section 99233.3 may be allocated to develop a comprehensive
13 bicycle and pedestrian facilities plan, with an emphasis on
14 bicycle projects intended to accommodate bicycle commuters
15 rather than recreational bicycle users. An allocation under this
16 subdivision may not be made more than once every five years.

17 (j) Up to 20 percent of the amount available each year to a city
18 or county pursuant to Section 99233.3 may be allocated to
19 restripe class II bicycle lanes.